United Nations S/2003/214

Security Council

Distr.: General
24 February 2003

Original: English

Letter dated 24 February 2003 from the Permanent Representatives of France, Germany and the Russian Federation to the United Nations addressed to the President of the Security Council

We would like to bring to the attention of the members of the Security Council that a joint memorandum has been prepared by France, Germany and the Russian Federation on the situation in Iraq.

We should like to emphasize that the ideas expressed in that declaration are not limited to the three signatories. We therefore appeal to other Council members to express their support for the declaration.

We should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Jean-Marc **de La Sablière**
Permanent Representative of France

(*Signed*) Gunter **Pleuger**
Permanent Representative of Germany

(*Signed*) Sergey **Lavrov**
Permanent Representative of the Russian Federation

03-25743 (E) 240203

Annex to the letter dated 24 February 2003 from the Permanent Representatives of France, Germany and the Russian Federation to the United Nations addressed to the President of the Security Council

Memorandum

1. **Full and effective disarmament in accordance with the relevant Security Council resolutions remains the imperative objective of the international community. Our priority should be to achieve this peacefully through the inspection regime. The military option should only be a last resort. So far, the conditions for using force against Iraq have not been fulfilled:**

   - While suspicions remain, no evidence has been given that Iraq still possesses weapons of mass destruction or capabilities in this field
   - Inspections have just reached their full pace: they are functioning without hindrance; they have already produced results
   - While not yet fully satisfactory, Iraqi cooperation is improving, as mentioned by the Chief Inspectors in their last report.

2. **The Security Council must step up its efforts to give a real chance to the peaceful settlement of the crisis. In this context, the following conditions are of paramount importance:**

   - The unity of the Security Council must be preserved
   - The pressure that is put on Iraq must be increased.

3. **These conditions can be met and our common objective — the verifiable disarmament of Iraq — can be reached through the implementation of the following proposals:**

(a) Clear programme of action for the inspections

In accordance with resolution 1284 (1999), the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA) have to submit their programme of work for approval by the Council. The presentation of this programme of work should be sped up, in particular the key remaining disarmament tasks to be completed by Iraq pursuant to its obligations to comply with the disarmament requirements of resolution 687 (1991) and other related resolutions.

The key remaining tasks shall be defined according to their degree of priority. What is required of Iraq for implementation of each task shall be clearly defined and precise.

Such a clear identification of tasks to be completed will oblige Iraq to cooperate more actively. It will also provide a clear means for the Council to assess the cooperation of Iraq.

(b) Reinforced inspections

Resolution 1441 (2002) established an intrusive and reinforced system of inspections. In this regard, all possibilities have not yet been explored. Further measures to strengthen inspections could include, as exemplified in the French non-paper previously communicated to the Chief Inspectors, the following: increase and diversification of staff and expertise; establishment of mobile units designed in particular to check on trucks; completion of the new system of aerial surveillance; systematic processing of data provided by the newly established system of aerial surveillance.

(c) Timelines for inspections and assessment

Within the framework of resolutions 1284 (1999) and 1441 (2002), the implementation of the programme of work shall be sequenced according to a realistic and rigorous timeline:

- The inspectors should be asked to submit the programme of work outlining the key substantive tasks for Iraq to accomplish, including missiles/delivery systems, chemical weapons/precursors, biological weapons/material and nuclear weapons in the context of the report due 1 March
- The Chief Inspectors shall report to the Council on implementation of the programme of work on a regular basis (every three weeks)
- A report of UNMOVIC and IAEA assessing the progress made in completing the tasks shall be submitted by the inspectors 120 days after the adoption of the programme of work in accordance with resolution 1284 (1999)
- At any time, in accordance with paragraph 11 of resolution 1441 (2002), the Executive Chairman of UNMOVIC and the Director-General of IAEA shall report immediately to the Council any interference by Iraq with inspections activities, as well as failure by Iraq to comply with its disarmament obligations
- At any time, additional meetings of the Security Council could be decided including at a high level.

To render possible a peaceful solution, inspections should be given the necessary time and resources. However, they cannot continue indefinitely. Iraq must disarm. Its full and active cooperation is necessary. This must include the provision of all the additional and specific information on issues raised by the inspectors as well as compliance with their requests, as expressed in particular in Mr. Blix' letter of 21 February 2003. The combination of a clear programme of action, reinforced inspections, a clear timeline and the military build-up provide a realistic means to reunite the Security Council and to exert maximum pressure on Iraq.